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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEB 27 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
North American Numbering Plan ) CC Docket No. 92-237  
Administration ) NSD File No. 98-10

REPLY COMMENTS

The National Exchange Carrier Association, Inc. (NECA) hereby replies to comments submitted by WorldCom, Inc. on February 20, 1998 in the above-captioned proceeding.<sup>1</sup> WorldCom, the only party commenting on the matter, opposes NECA's petition seeking a waiver of the requirement in the *Third Report & Order*,<sup>2</sup> to the extent necessary, to permit NECA's subsidiary to hold one face-to-face meeting in Washington, D.C., and three conference call meetings per year. WorldCom proposes certain safeguards if the Commission grants NECA's petition.

In its *Third Report & Order*, the Commission selected NECA as the NANPA B&C Agent subject to certain neutrality conditions.<sup>3</sup> Principal among those conditions was for NECA to create, as soon as possible, an independent, not-for-profit subsidiary corporation to be designated the NANPA B&C Agent.<sup>4</sup> With the Commission's approval, that subsidiary, North American

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<sup>1</sup> Pleading Cycle Established for Comments on National Exchange Carrier Association's Petition for Waiver of Certain Requirements as NANPA Billing and Collections Agent, *Public Notice*, NSD File No. 98-10, DA 98-265 (rel. Feb. 11, 1998).

<sup>2</sup> Administration of the North American Numbering Plan, *Third Report and Order*, CC Docket No. 92-237, FCC 97-372 at ¶ 86 (rel. Oct. 9, 1997).

<sup>3</sup> *Id* at ¶ 68.

<sup>4</sup> *Id* at ¶ 84.

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Billing and Collection, Inc. (NBANC), was recently created.<sup>5</sup>

Costs of creating and operating a subsidiary corporation imposed by the *Third Report & Order* (e.g., complying with documentation and tax laws for a separately incorporated entity, organization of quarterly Board meetings, additional insurance, payment of Board member expenses, etc.) were not anticipated or included in NECA's original bid. To avoid negative cash flows, NECA has attempted to work cooperatively with the North American Numbering Council (NANC) and the Commission to reduce additional costs of operating NBANC, and sought only to assure that the remaining incremental costs are covered.

As part of this process, NECA seeks a waiver, to the extent necessary, from the requirement that NBANC board meetings be held in Washington, D.C. quarterly. Instead, NECA proposes that NBANC's board of directors would hold one, annual face-to-face public meeting in Washington, D.C. and three public, conference-call board meetings during the remainder of the year. NECA's petition showed that, pursuant to section 1.3 of the Commission's rules, good cause exists for the Commission to grant this waiver.<sup>6</sup>

WorldCom states that it does not have any objection "to holding conference call meetings in the place of in-face meetings."<sup>7</sup> Rather, WorldCom states, the Commission should reject NECA's petition because WorldCom has reservations about NECA's ability to fulfill its role as

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<sup>5</sup> Network Services Division Approves Incorporation Documents and Board of Directors for North American Numbering Plan Administrator's Billing and Collection Agent, *Public Notice*, CC Docket No. 92-237, DA 98-308 (rel. Feb. 18, 1998).

<sup>6</sup> See NECA Petition at 3.

<sup>7</sup> WorldCom at 2.

the billing and collection agent.<sup>8</sup> Instead of responding to the specific issue at hand, WorldCom criticizes NECA's actions and proposes certain "safeguards".<sup>9</sup>

Specifically, WorldCom suggests that: (1) NECA must agree to schedule monthly or more frequent conference calls on an "as needed" basis; (2) the Commission should clarify that NBANC have access to whatever legal or financial information it desires from NECA regarding NECA's B&C activities; and (3) the Commission clarify that NECA should not attempt to "unload" obligations or responsibilities on the NBANC board.<sup>10</sup>

Based on experience with other programs, NECA believes that quarterly face-to-face meetings are unnecessary for NBANC to discharge its responsibilities effectively. Holding three conference call meetings would reduce administrative expenses, and allow accessibility and convenience to a potentially larger number of interested parties. Of course, as NBANC initiates operations and as particular issues arise, there may be a need for additional conference calls. Granting NECA's petition would not prevent NBANC from holding these additional conference call meetings as the need arises, but instead would simply permit NBANC to perform its functions without mandatory face-to-face meetings on a specific schedule.

The NBANC board will have full access to NECA data relating to NANPA billing and collection. Further, language contained in NECA's petition regarding relinquishment of NANPA B&C responsibilities to NBANC was intended only to recognize NBANC's role as a neutral entity which will direct these administrative functions.

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<sup>8</sup> *Id.*

<sup>9</sup> *See id* at 2-6.

<sup>10</sup> WorldCom at 6.

Good cause having been shown, the Commission should grant NECA's petition without imposing additional, unnecessary requirements or safeguards on NBANC operations.

Respectfully submitted,  
National Exchange Carrier Association, Inc.

  
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February 27, 1998

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments was served this 27th day of February, 1998, by mailing copies thereof by United States Mail, first class postage paid or by hand delivery, to the persons listed below.

By: /s/ Brian O'Hara  
Brian O'Hara

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